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PCTA

09/830894

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\*ADMITTED TO PENNSYLVANIA BAR

LEGAL PROFESSIONAL ASSOCIATION  
Intellectual Property Law  
Established 1917

April 27, 2001  
Case Docket No.: UA-338

BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL SHEET FOR PATENT APPLICATION

Dear Sir:

Transmitted herewith for filing under 35 U.S.C. §371 is a written application for Letters Patent.

Express Mail No.: EL722631365US

Inventor: Lu-Kwang JU

Title: PRODUCTION OF BIOLOGICAL MATERIALS BY SIMULTANEOUS  
AEROBIC AND ANAEROBIC RESPIRATION

Assignee: The University of Akron

The present application is filed pursuant to 35 U.S.C. §371 and is a national stage application of PCT/US99/26950, filed November 16, 1999. The international application claims priority from United States Provisional Patent Application No. 60/108,837, filed November 18, 1998.

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EL722631365US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Laura A. Rahn  
(type or print name of person signing paper)

Laura A. Rahn  
(signature of person mailing paper)

4-27-01  
(date)

AKRON

Offices in  
CLEVELAND/WESTLAKE

WOOSTER

Docket No. UA-338

April 27, 2001  
page 2

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account  
(2 pages - in duplicate)

Transmittal Letter to the United States Designated/Elected Office (2 pages)

Application Data Sheet (2 pages)

Combined Declaration and Power of Attorney (3 pages)

Specification:

22 pages Description

11 pages Claims

1 page Abstract

6 sheets Drawings

Preliminary Amendment (2 pages)

Written Assertion of Small Entity Status (1 page)

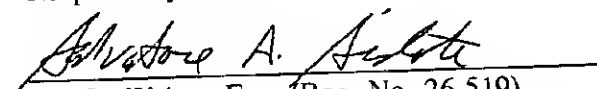
Check in the amount of \$509.00

Return Receipt Postcard

Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees which might be required to effect the filing of this (these) document(s) to Account No. 18-0987. This authorization is being submitted in duplicate.

Respectfully submitted,

  
Ray L. Weber, Esq. (Reg. No. 26,519)

Salvatore A. Sidoti, Esq. (Reg. No. 43,921)

Renner, Kenner, Greive, Bobak, Taylor & Weber  
4<sup>th</sup> Floor, First National Tower

Telephone: (330) 376-1242

Facsimile: (330) 376-9646

Attorneys for Applicant

4-27-01

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |  |                 |                  |
|------------|--|-----------------|------------------|
| Applicant: | Lu-Kwang JU  | Docket No.:     | UA-338           |
| Serial No: | not assigned yet   | Examiner:       | not assigned yet |
| Filed:     | April 27, 2001   | Group Art Unit: | not assigned yet |
| For:       | PRODUCTION OF BIOLOGICAL MATERIALS BY SIMULTANEOUS AEROBIC AND ANAEROBIC RESPIRATION |                 |                  |

**BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

### **WRITTEN ASSERTION OF SMALL ENTITY STATUS OF APPLICANT**

**37 C.F.R. §1.27(c)**

Dear Sir:

The Assignee, The University of Akron, is a non-profit organization as defined by 37 C.F.R. §1.27(a)(3)(i) and (a)(3)(ii)(A), and hereby asserts entitlement of small entity status for the purpose of paying small entity fees for the present patent application.

Should the Examiner have any questions regarding this paper, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

Ray L. Weber, Esq. (Reg. No. 26,519)  
Salvatore A. Sidoti, Esq. (Reg. No. 43,921)  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
4<sup>th</sup> Floor, First National Tower  
Akron, OH 44308-1456  
Telephone: (330) 376-1242  
Facsimile: (330) 376-9646  
Attorneys for Applicant

4-27-01

Date \_\_\_\_\_

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Laura A. Rahn  
(type or print name of person signing paper)

Diana R. Rep  
(signature of person mailing paper)

4-2701  
(date)

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

UA-338

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/830894

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PCT/US99/26950

16 November 1999 (16.11.99)

PRIORITY DATE CLAIMED

18 November 1998 (18.11.98)

TITLE OF INVENTION PRODUCTION OF BIOLOGICAL MATERIALS BY SIMULTANEOUS AEROBIC AND ANAEROBIC  
RESPIRATION

APPLICANT(S) FOR DO/EO/US JU, Lu-Kwang

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: \$509.00, Return Receipt Postcard.

## Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EL722631365US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Laura A. Rahn  
(type or print name of person signing paper)

Laura A. Rahn  
(signature of person mailing paper)

4-27-01  
(date)

U.S. APPLICATION NO. (PCT/US) 097/830894

INTERNATIONAL APPLICATION NO.  
PCT/US99/26950ATTORNEY'S DOCKET NUMBER  
UA-338

## CALCULATIONS PTO USE ONLY

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 100.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0.00

CLAIMS NUMBER FILED NUMBER EXTRA RATE

Total claims 71 -20 = 51 x \$18.00

Independent claims 3 -3 = 0 x \$80.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

TOTAL OF ABOVE CALCULATIONS =

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED =

Amount to be  
refunded: \$

charged: \$

- a. ☒ A check in the amount of \$ 509.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 18-0987. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No.: 26360

Ray L. Weber, Esq.  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
4th Floor, First National Tower  
Akron, OH 44308  
US

SIGNATURE

Salvatore A. Sidoti, Esq.  
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REGISTRATION NUMBER